

Proceedings of the Arizona Game and Fish
Commission License Revocation & Civil
Assessment Hearings
Friday, August 8, 2003 – 1:30 p.m.
Radisson Woodlands Hotel
1175 W. Route 66, Flagstaff, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman pro tem Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton
Commissioner Michael M. Golightly

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay Adkins
Asst. A.G. Jim Odenkirk

11. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Roll call was taken. The following persons were present at today's meeting: William G. Hyslip; Robert E. Cordova; Richard Muhlenpoh; Dennis R. Huston; Justin M. Stahl; Steven J. Henry; William H. Herman and Ralph L. Redfoot.

Motion: Gilstrap moved and Golightly seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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William G. Hyslip and Robert Dean Curry

Hyslip was found guilty in Prescott Justice Court of possessing unlawfully taken wildlife (mountain lion) and was fined \$215.

Curry was found guilty in Prescott Justice Court of possessing unlawfully taken wildlife (mountain lion) and was fined \$215.

Hyslip was present at today's meeting; Curry was not. Hyslip stated he was guilty of possessing the lion. Curry asked him to mount the road-killed lion. Hyslip told Curry he needed a salvage permit from the Sheriff's Office. A few days later Curry called him to say he attempted to get the permit from the Sheriff's Office but was told it was not possible and was referred to Game and Fish. He attempted to go through Game and Fish but was unsuccessful. Curry said he would hold off for a while. Curry told him he would get a tag; Hyslip agreed to do the mount. Hyslip never intended to unlawfully take anything or harm anyone or anything. He noted taxidermy was his sole source of income.

Motion: Golightly moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF WILLIAM G. HYSLIP TO HUNT IN THE STATE OF ARIZONA BE REVOKED AND THE PRIVILEGE TO HUNT BE DENIED FOR A PERIOD OF ONE YEAR; THAT THE LICENSE BE SUSPENDED AS OF THE DATE

OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ROBERT DEAN CURRY TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Robert Elias Cordova

Cordova was found guilty in Flagstaff Justice Court of A) shooting from a roadway; B) taking wildlife without a tag and C) open container of alcohol. He was fined \$174 for Count A; \$165 for Count B and no fine was imposed for Count C.

Cordova was present at today's meeting and admitted shooting at the decoy.

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ROBERT ELIAS CORDOVA TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FOUR YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Richard Muhlenpoh and Dennis R. Huston

Muhlenpoh was found guilty in Flagstaff Justice Court of taking wildlife on posted private land (trespass). He was fined \$75.

Huston was found guilty in Flagstaff Justice Court of taking wildlife on posted private land (trespass). He was fined \$75.

Muhlenpoh and Huston were present at today's meeting.

Muhlenpoh did not see any "no hunting" signs when they walked across a downed fence. When they were in the field, he and Huston noticed a sign that said "no hunting – no trespassing." They immediately left the field. They never took any shots, did not destroy any property and did not see any signs saying the land was posted until they crossed the field. The Game and Fish officer did not go back for a couple of weeks after the incident. Muhlenpoh admitted he did wrong.

Huston provided a written statement to the Commission that was in agreement with Muhlenpoh's comments.

Commissioner Golightly asked Mr. Adkins if the Commission had authority to suspend licenses for a period of time. Mr. Adkins stated it did.

Motion: Golightly moved and Gilstrap seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF RICHARD MUHLENPOH TO HUNT IN THE STATE OF ARIZONA BE SUSPENDED UNTIL SUCH TIME AS MR. MUHLENPOH LOCATES AND COMPLETES A STATE CERTIFIED HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE HIS LICENSE TO HUNT IS REACTIVATED IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Melton seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF DENNIS HUSTON TO HUNT IN THE STATE OF ARIZONA BE SUSPENDED AND THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR A LICENSE TO HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Justin M. Stahl

Stahl was found guilty in Graham County Justice Court of A) possessing unlawfully taken wildlife (deer) and B) exceeding bag limit (deer). He was fined \$185 for each count.

Stahl was present at today's meeting and stated he was sorry.

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JUSTIN M. STAHL TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST JUSTIN M. STAHL TO COLLECT THE AMOUNT OF \$1,335.89 FOR THE LOSS OF ONE (1) MULE DEER. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

An amendment was offered to make the revocation period three years. The maker and second of the motion agreed.

Vote on Amended Motion: Unanimous

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Steven J. Henry and William H. Herman

Henry was charged with taking over the bag limit (2 bull elk). He was deferred prosecution in Snowflake Justice Court and there was a plea agreement between the Justice Court and Navajo County Attorney without the Officer's concurrence. There would be no conviction so long as Henry did as the courts required of him. There was no revocation in place here.

Herman was found guilty in Snowflake Justice Court of A) allowing someone to attach a tag to an animal (bull elk) he did not kill and B) possessing unlawfully taken wildlife (bull elk). He was fined at total of \$274 for Counts A and B.

Henry and Herman were present at today's meeting. Officer Barber was also present at today's meeting. Officer Barber described what happened in the Justice Court. The pre-trial conference was scheduled, which he attended, but the agreement was already written. Some of the issues were discussed and the County Attorney added a one year revocation to the agreement.

Henry stated he was a sergeant with the Chandler Police Department. He explained the reason for the plea agreement between his attorney and the prosecutor. It was because of his certification as a peace officer. If the conviction proceeded, there was a high probability that he would be held to a standard where his certification as a peace officer in Arizona would be revoked. He had no previous criminal record. He agreed and the judge signed the plea.

Mr. Ordway explained further AZ Post certification. This was a misdemeanor charge and generally there was no review unless something else was going on with a particular case in regard to AZ Post. As for interagency reviews with regard to misdemeanor charges, it depended on the individual agency. There was not a standard by which AZ Post would come in on a misdemeanor conviction; they would review on a felony case.

Henry explained the reason for taking the elk. He admitted shooting the three elk.

Herman stated he did not shoot the elk but he tagged it because he did not want the meat to go to waste. He was a meat hunter, not a trophy hunter.

Motion: Melton moved and Gilstrap seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES FROM OR TO BRING CIVIL ACTION AGAINST STEVEN J. HENRY TO COLLECT THE AMOUNT OF \$2,226.49 FOR THE LOSS OF ONE (1) BULL ELK AND TO COLLECT SHARED CIVIL DAMAGES FROM OR TO BRING CIVIL ACTION AGAINST STEVEN J. HENRY TO COLLECT THE AMOUNT OF \$1,113.25 FOR HIS PART IN THE LOSS OF ONE (1) BULL ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSISON, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF WILLIAM H. HERMAN TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE YEAR; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST WILLIAM H. HERMAN TO COLLECT THE AMOUNT OF \$1,113.24 FOR HIS PART IN THE LOSS OF ONE (1) BULL ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Golightly asked Commissioner Melton to accept the civil assessment only. He felt since Herman did not have financial resources to challenge court action and his partner (the shooter) gets away with it as far as a conviction, he felt the state was not

gaining anything by taking away his license. He was responsible for the loss of the elk because he put his tag on it. Herman may not have been found guilty in court if he had hired an attorney. The assessment and requirement for hunter education remained in the motion for Herman. Commissioners Melton and Gilstrap accepted the amendment.

Vote on the Amended Motion: Unanimous

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Billie K. Hill and Ralph L. Redfoot

Because the next case involved a request by Billie Hill for a rehearing on action taken by the Commission on June 20, 2003, the Commission proceeded to Item #13. (See Commission meeting minutes, page 14.) The Commission then considered action to be taken for Ralph Redfoot.

Redfoot was found guilty in Clifton Justice Court of possessing unlawfully taken wildlife (turkey) and was fined \$275. (For information regarding Hill, see proceedings for June 20, 2003, pages 3-4.)

Redfoot was present at today's meeting. He admitted what he did was wrong and was willing to pay the consequences.

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF RALPH L. REDFOOT TO HUNT IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE YEAR; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST RALPH L. REDFOOT TO COLLECT THE AMOUNT OF \$222.65 FOR HIS PART IN THE LOSS OF ONE (1) TURKEY. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Because the motion on Billie Hill resulted from a rehearing, see Commission meeting minutes, page 14.

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Jack L. Tremain and Chad L. Smith

Tremain and Smith requested for continuances. Documentation for the request was provided to the Commission before today's meeting. The Department had no problem with granting these requests.

Motion: Golightly moved and Gilstrap seconded THAT THE CASES BE EXTENDED TO THE NEXT MEETING.

Vote: Unanimous

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Jose J. Pelayo, Gabriel C. Morales, Demetrio Martinez, Antonio G. Varela, Antonio Naranjo, Martin Pena and Rosalio T. Llamas

Pelayo was found guilty in Camp Verde Justice Court of A) taking wildlife (3 elk) during closed season; B) hunting wildlife without a permit/tag; C) possessing unlawfully taken wildlife (3 elk); D) waste of game meat (1 elk) and E) possession unlawfully taken wildlife (2 deer). He was fined \$750 for Count A and \$500 for Count D; fines were suspended for Counts B and C. For Count E he was put on one year unsupervised probation.

Morales, Martinez and Varela were found guilty in Payson Justice Court of possessing unlawfully taken wildlife (elk). Each was fined \$725.

Naranjo was found guilty in Payson Justice Court of A) possessing unlawfully taken wildlife (2 elk) and B) taking wildlife (2 elk) during a closed season. He was fined a total of \$1,8725 and was put on one year unsupervised probation.

Pena was found guilty in Camp Verde Justice Court of possessing unlawfully taken wildlife (elk). He was fined \$375 and put on one year unsupervised probation.

Llamas was found guilty in Camp Verde Justice Court of A) possessing unlawfully taken wildlife (elk) and B) possessing unlawfully taken wildlife (deer). He was fined \$725 for Count A and \$545 for Count B.

None of these individuals was present at today's meeting.

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JOSE J. PELAYO TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT AGAINST JOSE L. PELAYO THE AMOUNT OF \$5,863.11 FOR HIS PART IN THE LOSS OF FOUR (4) ELK (THREE BULLS AND ONE UNKNOWN) AND TWO (2) MULE DEER (ONE BUCK AND ONE DOE). FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF GABRIEL C. MORALES TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST GABRIEL C. MORALES TO COLLECT THE AMOUNT OF \$445.30 FOR HIS PART IN THE LOSS OF ONE (1) ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Golightly moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF DEMETRIO MARTINEZ TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST DEMETRIO MARTINEZ TO COLLECT THE AMOUNT OF \$445.30 FOR HIS PART IN THE LOSS OF ONE (1) ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Golightly moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ANTONIO G. VARELATO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ANTONIO VARELA TO COLLECT THE AMOUNT OF \$445.30 FOR HIS PART IN THE LOSS OF ONE (1) ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF

FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ANTONIO NARANJO TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ANTONIO NARANJO TO COLLECT THE AMOUNT OF \$1,855.40 FOR HIS PART IN THE LOSS OF TWO (2) ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF MARTIN PENA TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST MARTIN PENA TO COLLECT THE AMOUNT OF \$742.16 FOR HIS PART IN THE LOSS OF ONE (1) ELK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ROSALIO LLAMAS TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO

COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ROSALIO T. LLAMAS TO COLLECT THE AMOUNT OF \$1,781.17 FOR HIS PART IN THE LOSS OF ONE (1) ELK AND TWO (2) DEER. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Lloyd Ervin Mitchell, Jr. and Shawn Tom Delozier

Mitchell was charged with A) taking wildlife (deer) with artificial light; B) criminal trespass 3rd degree and C) possessing/transporting unlawfully taken wildlife (deer). Counts A and B were dismissed per plea agreement in Yuma Justice Court; he was found guilty of Count C and fined \$100 plus assessed \$225 attorney fees.

Delozier was charged with A) taking wildlife (deer) with artificial light; B) criminal trespass 3rd degree and C) possessing/transporting unlawfully taken wildlife (deer). Counts A and B were dismissed per plea agreement in Yuma Justice Court; he was found guilty of Count C and fined \$383 plus assessed \$225 attorney fees.

Mitchell and Delozier were not present at today's meeting.

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF LLOYD E. MITCHELL, JR. TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST LLOYD E. MITCHELL, JR. TO COLLECT THE AMOUNT OF \$667.95 FOR HIS PART IN THE LOSS OF ONE (1) 4X4 MULE DEER BUCK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Golightly moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF SHAWN TOM DELOZIER TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER

EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST SHAWN TOM DELOZIER TO COLLECT THE AMOUNT OF \$667.95 FOR HIS PART IN THE LOSS OF ONE (1) 4X4 MULE DEER BUCK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Ernesto Pacheco Martinez

Martinez was found guilty in Flagstaff Justice Court of taking wildlife without a tag. He was fined \$165.

Martinez was not present at today's meeting.

Motion: Melton moved and Gillstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ERNEST P. MARTINEZ TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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